

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA**

SEBESTIAN OWENS, ROBERT HAMILTON,
and JEFFREY CRAIG, *on behalf of themselves and
all others similarly situated,*

Plaintiffs,

-v.-

ALLY FINANCIAL INC. and ALLY BANK,

Defendants.

No. 24-CV-811-KDB-DCK

**NOTICE OF DEFENDANTS' MOTION TO DISMISS THE
CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that Defendants Ally Financial Inc. and Ally Bank (together, “Defendants”) respectfully will move this Court, before the Honorable Kenneth D. Bell, at the U.S. District Court for the Western District of North Carolina, 401 West Trade Street, Charlotte, North Carolina 28202, on a date and time designated by the Court, for an order dismissing the Consolidated Amended Class Action Complaint in its entirety, with prejudice, (i) pursuant to Federal Rule of Civil Procedure 12(b)(1), for lack of subject matter jurisdiction and (ii) pursuant to Federal Rule of Civil Procedure 12(b)(6), for failure to state a claim upon which relief can be granted.

The Motion is supported by the accompanying Memorandum of Law in Support of Defendants’ Motion to Dismiss, dated January 21, 2025, the Declaration of Christian Hall, dated January 21, 2025, and the exhibits thereto.

Dated: January 21, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed with the clerk using the CM/ECF system which will send electronic notification to all parties of record as follows:

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This 21st day of January, 2025.

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